

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and the**  
**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**  
**1362 McMillan Avenue, Suite 400**  
**Charleston, South Carolina 29405**

REGULATORY DIVISION  
Refer to: P/N #2002-1E-230-P

23 August 2002

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**RIAL M. FITCH, JR.**  
**#1 SEAFOOD DRIVE**  
**MT. PLEASANT, SOUTH CAROLINA 29464**

for a permit to install a floating dock adjacent to an existing structure in

**SHEM CREEK**

at Shrimp Boat Lane, Mt. Pleasant, Charleston County, South Carolina.  
(Latitude – 32.79201, Longitude – 79.88235)

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY,**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of installing a 10' x 120' floating dock attached to an existing landing by a 4' x 10' ramp. The existing structure was authorized by DA Permit #88-3E-112. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of Shem Creek. Should a permit be issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The purpose of this work is for inn, restaurant, and sport fishing patrons.

**NOTE:** Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

23 August 2002

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and has determined that the proposed work will occur within the boundaries of the "Mt. Pleasant Historic District," an area included in the National Register of Historic Places. The District Engineer has made a preliminary determination that the project will have "no adverse effect" on the characteristics which resulted in the "Mt. Pleasant Historic District" being determined eligible for inclusion in the National Register of Historic Places. By copy of this notice, the views of the State Historic Preservation Officer and his concurrence in the above stated "no adverse effect" determination are being sought.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

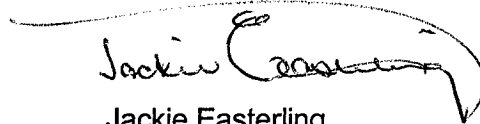
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably

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foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read "Jackie Easterling", with a long, sweeping horizontal line extending to the left.

Jackie Easterling  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



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#2002-1E-230

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WOOD

COVERED  
CONC

WOOD

MATCH LINE

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SHERM CREEK BRIDGE)  
LEMAN BOULEVARD  
US HWY 17

N = 350882.492  
E = 2343752.324

N = 350915.492  
E = 2343737.927

N = 350870.047  
E = 2343697.989

N = 350840.981  
E = 2343795.638

NOTE:  
BUILDINGS AND BRIDGE  
ARE SHOWN FOR  
DESCRIPTIVE PURPOSES  
ONLY

N = 350819.259  
E = 2343818.305

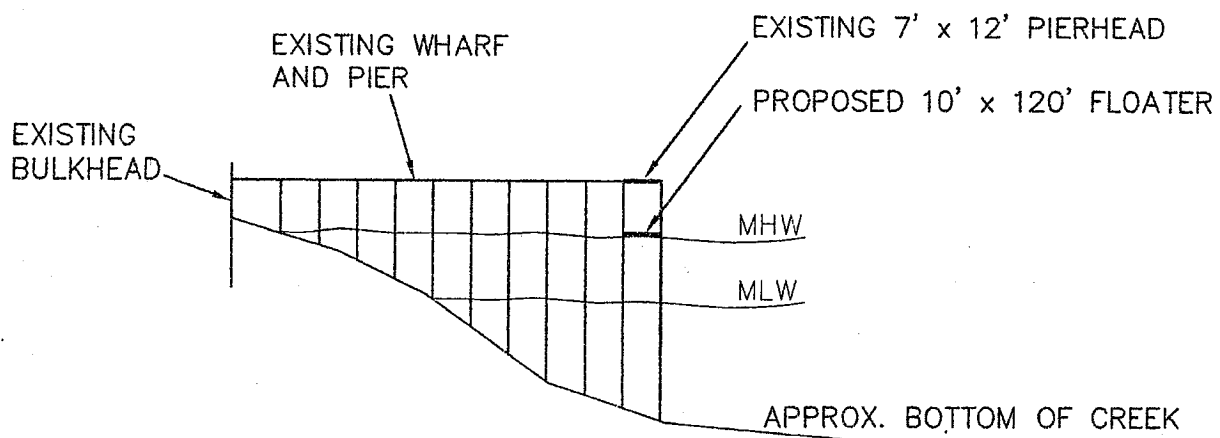
FLOOD

CAROLINA  
CLIPPER  
CHARTERS

THE TRAWLER  
RESTAURANT  
LOT 1-2-2-B-C-1 BLOCK 22  
LUCASVILLE  
TMS 517-15-00-002  
SNOWWIS PROPERTIES  
MAILING ADDRESS:  
PO BOX 498  
MOUNT PLEASANT, SC. 29465

PROPOSED FLOATING DOCK  
In: Shem Creek  
At: Shrimp Boat Lane, Mt. Pleasant,  
Charleston County, SC  
Application by: Rial M. Fitch, Jr.  
Sheet 3 of 4 July 2002 #2002-1E-230

MATCH LINE



RIAL FITCH  
SHRIMP BOAT LANE  
SHEM CREEK  
TMS# 517-11-00-007

DETAIL "A"  
NO SCALE

PROPOSED FLOATING DOCK  
In: Shem Creek  
At: Shrimp Boat Lane, Mt. Pleasant,  
Charleston County, SC  
Application by: Rial M. Fitch, Jr.  
Sheet 4 of 4 July 2002

#2002-1E-230

FILE: 071-02